

New Wetlands Program Fees Effective October 8, 2004

310 CMR 4.10 Regulation page 144.3
(Replaces Fees Deleted from 801 CMR 4.02)

4.10(8)

(n) (BRPWW18) Permits for Wetlands

1. Category: Notice of Intent and Abbreviated Notice of Intent.
2. Description: Notice of Intent and Abbreviated Notice of Intent pursuant to M.G.L.c.131§40 and 310 CMR 10.05(4). The designation of the Department's file number shall not imply that the plans and supporting documents have been judged adequate for the issuance of an Order, but only that copies of the minimum submittal requirements contained in the general instructions have been filed.
3. Schedule for timely action: for projects for which Notices of Intent or Abbreviated Notices of Intent are filed and fees received on or after October 8, 2004,
 - a. Within 21 days of receipt of a Notice of Intent or Abbreviated Notice of Intent and payment of the permit application fee, the Department shall complete an administrative completeness review.
 - b. The permit applicant may remedy identified deficiencies within 21 days of the Department's statement identifying deficiencies, if any.
 - c. Within 21 days of the Department's receipt of materials from the applicant in response to the Department's statement identifying deficiencies, the Department shall complete a final review resulting in a decision to issue or deny a file number.
4. Permit application fee: The fee, created pursuant to M.G.L.c.131§40, is for work proposed under a single Notice of Intent. When the application involves more than one activity the fee shall be determined by adding the fees for each proposed activity, except that when work involves activities within the riverfront area as well as another resource area, the fee shall be determined by adding an additional 50% to the fee calculated for activities in another resource area(s) or the buffer zone to another resource area for each of the proposed activities within the riverfront area
 - a. Category 1: \$110
 - b. Category 2: \$500
 - c. Category 3: \$1050
 - d. Category 4: \$1450
 - e. Category 5: \$4 per linear foot
 - f. Category 6: \$2 per linear foot with a maximum of \$200 for a single-family house project and a maximum of \$2000 for any other activity.

(o) (BRPWW19) Permits for Wetlands

1. Category: Superseding Determination of Applicability
2. Description: Superseding Determination of Applicability pursuant to 310 CMR 10.05(3)(c).
3. Schedule: for projects for which Requests for Superseding Determination of Applicability are filed and fees received on or after October 8, 2004,

- a. Within 70 days of receipt of Request for Superseding Determination of Applicability and payment of the application fee, the Department shall complete technical review.
 - b. The permit applicant may remedy identified deficiencies within 70 days of the Department's statement identifying deficiencies, if any.
 - c. Within 40 days of the Department's receipt of materials from the applicant in response to the Department's statement identifying deficiencies, the Department shall complete a supplemental review.
4. Permit Application Fee: \$100

(p) (BRPWW20) Permits for Wetlands

- 1. Category: Superseding Order of Conditions
- 2. Description: Superseding Order of Conditions pursuant to 310 CMR 10.05(7).
- 3. Schedule: for projects for which Requests for Superseding Order of Conditions are filed and fees received on or after October 8, 2004,
 - a. Within 70 days of receipt of Request for Superseding Order of Conditions and payment of the application fee, the Department shall complete technical review.
 - b. The permit applicant may remedy identified deficiencies within 70 days of the Department's statement identifying deficiencies, if any.
 - c. Within 40 days of the Department's receipt of materials from the applicant in response to the Department's statement identifying deficiencies, the Depart shall complete a supplemental review.
- 4. Permit Application Fee:
 - a. Superseding Order of Conditions for individual single-family homes with associated structures: \$100
 - b. All Other Superseding Order of Conditions: \$ 200

(q) (BRPWW21) Permits for Wetlands

- 1. Category: Superseding Order of Resource Area Delineation
- 2. Description: Superseding Order of Resource Area Delineation pursuant to 310 CMR 10.05(7).
- 3. Schedule: for projects for which Requests for Superseding Order of Resource Area Delineation are filed and fees received on or after October 8, 2004,
 - a. Within 70 days of receipt of Request for Superseding Determination of Applicability and payment of the application fee, the Department shall complete technical review.
 - b. The permit applicant may remedy identified deficiencies within 70 days of the Department's statement identifying deficiencies, if any.
 - c. Within 40 days of the Department's receipt of materials from the applicant in response to the Department's statement identifying deficiencies, the Depart shall complete a supplemental review.

(4) Permit Application Fee: \$100

(r) (BRPWW22) Permits for Wetlands

- 1. Category: Request for Variance
- 2. Description: Variance pursuant to 310 CMR 10.05(10).
- 3. Schedule: for projects for which Requests for Variance are filed and fees received on or after October 8, 2004,

- a. Within 70 days of receipt of Request for Variance and payment of the application fee, the Department shall complete technical review.
- b. The permit applicant may remedy identified deficiencies within 70 days of the Department's statement identifying deficiencies, if any.
- c. Within 40 days of the Department's receipt of materials from the applicant in response to the Department's statement identifying deficiencies, the Depart shall complete a supplemental review.

4. Permit Application Fee: \$8,000

(s) (BRPWW23) Permits for Wetlands

1. Category: Request for Variance with a claim of unconstitutional taking of property.
2. Description: Variance with a claim of unconstitutional taking of property pursuant to 310 CMR 10.05(10).
3. Schedule: for projects for which Requests for Variance are filed and fees received on or after October 8, 2004,
 - a. Within 70 days of receipt of Request for Variance and payment of the application fee, the Department shall complete technical review.
 - b. The permit applicant may remedy identified deficiencies within 70 days of the Department's statement identifying deficiencies, if any.
 - c. Within 40 days of the Department's receipt of materials from the applicant in response to the Department's statement identifying deficiencies, the Depart shall complete a supplemental review.

(4) Permit Application Fee: \$200